

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA	§	
VS.	§	SA-13 CR 275 (4) FB
ELIUD SANCHEZ HERNANDEZ	§	

DEFENDANT'S UNOPPOSED MOTION FOR CONTINUANCE AND REQUEST FOR A  
NEW SCHEDULING ORDER

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes Defendant in the above entitled and numbered cause by and through her attorney of record, and moves the Court to continue this cause and all deadlines in the present standing scheduling order. In support thereof, Defendant would show unto this Court the following:

I.

The Defendant is charged with one violation of Conspiracy to Distribute a Controlled Substance and one count of Possession of a Controlled Substance.

II.

The defendant is represented by CJA attorney, ALBERT A. FLORES.

III.

The Defendant respectfully requests that the Court grant a motion for continuance and a new scheduling Order based on the following:

1. The Attorney requests more time to investigate the circumstances surrounding the case of the defendant and the possibility of a defense arising out of that investigation. The

appointed counsel has only recently been appointed and has not yet reviewed all discovery in this case.

2. The review of all of the discovery is necessary to properly prepare for trial. The case has an old case number however this defendant has only recently been arrested.
3. The AUSA in this case does not oppose this motion.

The Defendant does not request this continuance for purposes of undue delay, but so that she may receive a proper and effective assistance of counsel. The protection of due process rights, effective assistance of counsel, and preparation of an adequate defense afforded by a continuance in this case, would greatly outweigh the public's interest for quick resolution of this matter.

WHEREFORE, premises considered, Defendant prays that this Court grant his motion for continuance and issue a new scheduling order.

Respectfully submitted:

/s/ Albert A. Flores  
ALBERT A. FLORES  
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Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing Defendant's Motion has been delivered to the United States Attorney's Office, Ms. Sarah Spears, SAN ANTONIO, Texas, on this the 3rd day of February, 2021 via the court's ECF system.

/s/ Albert A. Flores  
ALBERT A. FLORES

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ORDER

On this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, came to be considered Defendant's Motion for a Continuance, and said motion is hereby

(GRANTED)                      (DENIED)

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UNITED STATES DISTRICT JUDGE